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to facts a character, which they did not possess at the time they took place; and to declare that in the trial of causes *depending on such facts*, they shall be considered and allowed to operate in the decision of such causes, according to their *new character*. It professes to settle rights and titles depending on laws, as they existed for a long series of years *before* the act was passed, by new principles, which for the first time are introduced by its provisions. It professes to change the nature of a disseisin, and thereby subject the true owner of lands to the loss of them, by converting into a disseisin, by *mere legislation*, those acts which, at the time the law was passed, did not amount to a disseisin. It professes to punish the rightful owner of lands, by barring him of his right to recover the possession of them, when, by the existing laws, he was not barred, nor liable to the imputation of any *laches*, for not sooner ejecting the wrongful possessor.'

After illustrating his subject by a few examples, the Chief Justice concludes in the following independent strain.

'It is always an unpleasant task for a judicial tribunal, to pronounce an act of the legislature in part or in whole unconstitutional. We agree with the Supreme Court of the United States, in the case of *Fletcher vs Peck*, that "the question whether a law be void for its repugnance to the constitution, is, at all times, a question of much delicacy, which ought seldom, if ever, to be decided in the affirmative in a doubtful case. But the Court, when impelled by duty to render such a judgment, would be unworthy of its station could it be unmindful of the obligation which that station imposes." We cannot presume that the legislature, which enacted the law, considered the section in question, as violating any constitutional principle, or in any manner transcending their powers. Be that as it may, the oath of office, under which we conscientiously endeavor to perform our duties, imposes upon us as solemn an obligation to declare an act of our legislature *unconstitutional*, when, upon mature deliberation, we believe it to be so, as it does to give prompt and full effect to all *constitutional* laws, in the administration of justice.'

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ART. IV.—*Demosthenis Opera, ad Optimorum Librorum Fidem accurate Edita*. Lipsæ. Excudit Car. Tauchnitz.

By the great majority of the literary world, from his own time to the present, Demosthenes has been considered as unsurpassed, if not unequalled in eloquence. While, how-

ever, there has been so little difference of opinion respecting the degree of his merit, the peculiar nature of it seems to be, at least in this country, very imperfectly understood. Our knowledge of the character of his oratory rests principally on secondary evidence. With Cicero, American students are, comparatively, well acquainted. Their acquaintance with him in early youth, though short and compulsory, is sufficient to give them some general impressions respecting his distinguishing characteristics, and what is of more consequence, to facilitate a more thorough and general perusal of his works in maturer years. Demosthenes is removed one step farther from our reach, by the language in which he writes; and his concise and idiomatic phraseology is so embarrassing to an inexperienced student, as to leave him little leisure to observe and relish the beauties of his author, till after repeated perusals. Few among us have the disposition, or the leisure, to read Demosthenes in the original. He has indeed been ably translated by Leland, but we may observe of translations of ancient authors, what has been remarked of engravings of fine buildings, that they seldom become objects of interest, till after the originals are generally known and studied. We judge of Demosthenes, therefore, from certain vague remarks respecting the fire, the boldness, and the magnificence of his speeches, and the errors into which such language is apt to lead us, are strengthened by an impression, which generally prevails respecting the oratory of the ancients. It is often said that modern orators speak to the reason, ancient orators spoke to the passions, a remark which, if founded in truth, is susceptible of great qualification. From the rank which Demosthenes held in the opinion of all ancient critics, and more particularly in that of his great competitor Cicero, we naturally expect to find what we consider to be the peculiar features of Grecian and Roman eloquence, displayed in the greatest force and abundance in his works. We look for extravagant declamation, for perpetual appeals to the feelings, for a crowd of similes and metaphors; in short, for a style bearing a greater resemblance to the Irish, than to any other modern oratory, and far too bold to be adopted with propriety in a modern assembly.

To those who are conversant with the writings of this orator, we need not say that the opinions, which we have just

noticed, are the very reverse of the truth ; to those who are not, we shall offer a few general remarks on his real merit. The most prominent feature in his orations, as has been justly remarked, is argument. He never declaims, till he has first reasoned ; he seems to disdain to inflame our passions, till he has overpowered our understanding. Few authors can bear a comparison with him in the originality and ingenuity of his arguments, in their close connexion with the point proposed and with each other ; in the succinctness, perspicuity, and energy with which they are stated ; in the sagacity and *generalship*, if the term may be allowed, with which he directs his force to those points where his adversary is most vulnerable, and himself most powerful ; in all those qualities, in short, which constitute a powerful and accomplished logician. But though an acute and close, he is by no means a dry and cold reasoner ; he bears no resemblance to those, who state their sentiments with the calmness, as well as the precision of mathematical demonstration. His argument seems to flow from his heart, as well as his intellect, and is equally impassioned with the declamation of other orators. His declamation, on the other hand, has much of the closeness and terseness, which we find displayed in the ablest arguments. We perceive in it nothing vague or extravagant, nothing florid or redundant, nothing strained or ostentatious ; it always seems to enforce and illustrate, as well as to ornament, the arguments to which it refers, and appears to be introduced not only naturally but necessarily. It is scarcely possible, however, to divide the speeches of Demosthenes, like those of most other orators, into argumentative and declamatory passages. Logic and rhetoric are blended together, from the beginning to the end ; the speaker, while always clear and profound, is always rapid and impassioned. The vivid feeling, displayed at intervals by other orators, bursts forth in Demosthenes with every sentence. We are forcibly reminded of the description of lightning in Homer ;

‘ By turns one flash succeeds, as one expires,  
And Heaven flames thick with momentary fires.’

Were we called upon to state, what more than anything else distinguished Demosthenes from all other orators, we should answer, his constant and complete forgetfulness of himself in his subject. His object, in his most celebrated

orations, (with the exception of that on the Crown,) was to thwart and overthrow the ambitious projects of Philip of Macedon, to rouse his countrymen to a course of conduct worthy of themselves and their illustrious ancestry. That Philip was aiming at the sovereignty of Greece, that he feared and hated the Athenians, as the irreconcilable opponents to his schemes of aggrandisement, 'that he was hostile to the city of Athens, to everything which it contained, to the very ground on which it stood, but to nothing so much as its free government,' these were the ideas, which seemed to penetrate and absorb the very soul of Demosthenes, and which he put forth all his strength in impressing on the minds of his hearers. His exordium, though highly finished, is generally brief; he throws himself into the midst of his subject, and seems to have neither time nor thought for anything besides. To gain the assent, and not the applause of the audience, is his single object; his aim seems to be to direct the councils of Athens, utterly regardless of the credit which success may reflect on himself, and he appears to think as little of the skill which he shall display as an orator, as he, who is fighting for his life, thinks of the grace which he shall exhibit in the management of his weapons.

When we consider, that it is the well known property of this enthusiastic sincerity to communicate itself from the speaker to his audience, that connected even with moderate abilities it seldom fails to command a respectful attention, that it is of itself often sufficient to give a temporary interest to the most airy extravagance, it requires little reflection to perceive what effects it must produce, when united with the talents of Demosthenes. By no author is he excelled in the power of engaging and riveting our attention. We feel ourselves in the grasp of a giant, and are hurried along in the course of his argument with unceasing and breathless interest. While, however, we dwell thus forcibly on the entire devotion of Demosthenes to his great purpose, we would not be understood to imply, that his orations are devoid of all remarks of general application. He looks intensely on his subject, but it is with the eye of a consummate statesman; his remarks centre in a single point, but they are drawn from a wide circumference. Almost every one of his speeches abounds in maxims of the most profound kind, and the most universal

interest, not formally ushered forth in the garb of philosophy, but, like everything which he utters, springing naturally from his subject, and bearing strongly upon it. That the mind soon loses its dignity if given up to low and grovelling pursuits; that it is the leading duty of a true patriot never to fear responsibility; that no community can ever be great, if it suffer its conduct to be entirely determined by external circumstances; that it is for him who has received benefits to cherish them in his memory, while the giver should be the first to forget them; these, and numerous other political and moral truths of equal moment, are all enforced with the greatest clearness and vigor by Demosthenes. We consider him, in short, as the most striking illustration of the rule subsequently laid down by Horace, in the trite passage, ‘ars est celare artem.’ His eloquence always strikes us, as the true eloquence of nature, the language of a strong mind under high excitement.

But it is not our intention to attempt a complete, still less a technical description of his various merits, and we shall merely present our readers with a few specimens of his orations, as they appear in an English dress, intermingled with such remarks as naturally suggest themselves. We quote from Leland’s translation. It is, however, necessary, to make one or two previous observations, lest our readers should think that our assertions are but feebly warranted by our extracts. The first circumstance to be noticed, is the well known fact, that Demosthenes is one of the last authors, to whom justice can be done by quotations. His orations are the very reverse of those works, which are marked by striking inequalities and forcible contrasts, by brilliant passages which can be easily distinguished, and conveniently detached from everything around them, by occasional beauties which shine out from what is dull or faulty. On the contrary, he everywhere seems animated with a similar, not to say an equal fervor; even in his highest flights he rises gradually, and every part of his speeches is so connected with what precedes and follows, that it cannot be extracted without material injury. The next circumstance, to which we shall advert, is the manifest disadvantage of quoting from a translation. The difficulty of transfusing the spirit of an ancient author into our language is notorious. With Demosthenes this difficulty is

greatly increased, by the nature of his style. This is concise, in many places to a fault, and finished with the most exquisite nicety. Every word is apt and significant, and occupies the very place of all others which best belongs to it, and of course nothing can well be altered, transposed, or omitted. To imagine that such an author can be rendered into our language, without the loss of many beauties of phraseology, to say the least, would be to suppose such a similarity of structure between the Greek and English tongues, as exists between no two languages whatever. Leland's translation is, as before observed, executed on the whole with great ability, and should be in the hands of all, who are debarred from consulting the original. In the important circumstances of a thorough perception of his author's meaning, and an accurate knowledge of the events to which he refers, he has seldom been surpassed. He is also distinguished by great, and when we consider the natural attachment of translators to their authors, we may add, singular and laudable impartiality. He seems to have formed the most just and discriminating opinions of the merits of Demosthenes, and to have imbibed no inconsiderable portion of the spirit of his eloquence. In one respect, however, his translation falls greatly below the Greek, in elegance of phraseology. It contains many expressions, which are now obsolete or trivial; the words are by no means selected and varied with sufficient care, and the style, on the whole, is much more distinguished by strength than by polish. In judging, therefore, of our extracts, we hope our readers will direct their attention to the sentiments, rather than the phraseology. The first passage, which we shall select, is the comparison in the second Olynthiac between the Athenians of the time of Demosthenes, and their illustrious ancestors.

‘These our ancestors, therefore, whom the orators never courted, never treated with that indulgence with which you are flattered, held the sovereignty of Greece, with general consent, five and forty years; deposited above ten thousand talents in our public treasury; kept the king of this country in that subjection, which a barbarian owes to Greeks; erected monuments of many and illustrious actions, which they themselves achieved, by land and sea; in a word, are the only persons who have transmitted to posterity such glory as is superior to envy. Thus great do they appear in the affairs of Greece. Let us now view them within the city, both in

their public and private conduct. And, first, the edifices which their administrations have given us, their decorations of our temples, and the offerings deposited by them, are so numerous and so magnificent, that all the efforts of posterity cannot exceed them. Then, in private life, so exemplary was their moderation, their adherence to the ancient manners so scrupulously exact, that if any of you ever discovered the house of Aristides, or Miltiades, or any of the illustrious men of those times, he must know that it was not distinguished by the least extraordinary splendor. For they did not so conduct the public business as to aggrandise themselves; their sole great object was to exalt the state. And thus by their faithful attachment to Greece, by their piety to the gods, and by that equality which they maintained among themselves, they were raised (and no wonder) to the summit of prosperity.'

This is in many respects a highly characteristic passage. It affords, in the first place, a singular instance of the indifference to mere oratorical display, which we have already mentioned as a striking quality of Demosthenes. What tempting opportunities are here disregarded. How might he have displayed those powerful talents of narration and description, which he has proved so fully in his oration on the Crown. With what force and effect might he have dwelt on those victories, which have furnished themes for the efforts of so many orators and poets, from the time when they were won to the present age. With what graphic touches might he have described those glorious monuments of Grecian art, which are even now the wonder and the study of the civilised world. Far different was his course. The whole history of Athens, from the days of Miltiades to those of Pericles, of her power, her conquests, her trophies, her wealth, her architecture, is comprised in a few brief sentences. It was his design not to raise his own fame as an orator, but to waken his countrymen from their fatal lethargy, to shame them into a more dignified and efficient course of conduct, by reminding them, in simple and affecting terms, of the height, whence they had degenerated. He chose, therefore, merely to elevate and fire their minds, by a few masterly touches, and then to deliver them over to their own reflections.

The next remarkable feature of this extract, which we shall notice, is the exemplary boldness with which the author reproves the follies of his countrymen. It is pleasing to reflect that the ascendancy, which Demosthenes acquired and main-



tained over the 'fierce democracy of Athens,' was in no degree purchased by a mean compliance with their humors, or a timid forbearance towards their faults and follies. This passage is far from a singular instance in which he displays a sincerity, which the most conscientious lover of strict and abstract truth would deem worthy of high applause. His orations are full of the most pointed and caustic censures of the levity and indifference of his countrymen, in their most momentous concerns. He calls them, for instance, 'a helpless rabble, without conduct, without property, without arms, without order, without unanimity;' he declares, 'that no one has the least respect for their decrees, and, finally, that their constitution is subverted.' Language like this, one would think, must be odious in any country, and the mixture of truth which it contained, when applied to the Athenians, would, we apprehend, produce any other effect than that of rendering it more palatable. If we inquire why it was so patiently heard, from the lips of Demosthenes, we may find a sufficient reason in the skill and judgment, with which it is uniformly employed. His censures evidently spring from the purest patriotism, and are uttered not merely to gratify his own feelings, but for a benevolent and practicable object. His reproofs are constantly followed by exhortations and encouragement, and while he condemns, with the most unsparing acrimony, the degeneracy of the Athenians, he never fails to prove that if they will be themselves, all may yet be retrieved. In this respect, to say nothing of any other, we think the orations of Demosthenes a model, which cannot be too highly recommended to politicians of the present day. We trust, indeed, the time is yet distant, when a boldness like his, will be viewed by the citizens of this country, as a crime. In vain shall we boast of the liberty of expressing our thoughts, which is secured by our constitutions and laws, if it can only be exercised under the iron sceptre of an illiberal and jealous public opinion.

Our second extract is from the third Philippic, and requires no preface.

'And now what is the cause of all this? (for there must be some cause, some good reason to be assigned, why the Greeks were once so jealous of their liberty, and are now ready to submit to slavery.) It is this Athenians! Formerly, men's minds were animated with that which they now feel no longer, which conquered all the opu-

lence of Persia, maintained the freedom of Greece, and triumphed over the powers of sea and land ; but now that it is lost, universal ruin and confusion overspread the face of Greece. What is this ? Nothing subtle or mysterious ; nothing more than a unanimous abhorrence of all those who accepted bribes from princes, prompted by the ambition of subduing, or the base intent of corrupting Greece. To be guilty of such practices, was accounted a crime of the blackest kind ; a crime which called for all the severity of public justice ; no petitioning for mercy, no pardon was allowed, so that neither orator nor general could sell those favorable conjunctures, with which fortune oftentimes assists the supine against the vigilant, and renders men utterly regardless of their interests, superior to those who exert their utmost efforts ; nor were mutual confidence among ourselves, distrust of tyrants and barbarians, and such like noble principles, subject to the power of gold. But now are all these exposed to sale, as in a public mart ; and in exchange, such things have been introduced, as have affected the safety, the very vitals of Greece. What are these ? Envy, when a man hath received a bribe ; laughter, if he confess it ; pardon, if he be convicted ; resentment, at his being accused ; and all the other appendages of corruption. For, as to naval power, troops, revenues, and all kinds of preparations, everything that is esteemed the strength of a state, we are now much better, and more amply provided, than formerly, but they have lost all their force, all their efficacy, all their value, by means of these traffickers.'

We pass on from the shorter speeches of Demosthenes, to that masterpiece of Grecian eloquence, the oration on the Crown. This is distinguished from the rest, not only by its superior excellence, but by its freedom from their two most important, if not their only defects. The first of these is the coolness generally displayed in the perorations. Demosthenes complied, in this respect, with the rules of Grecian rhetoric ; and it cannot but be greatly regretted, that in so important a particular he should have suffered Art to prevail over Nature. The other fault, to which we refer, is his extreme conciseness. Whether, indeed, this be a fault, seems to be more than doubtful to the ablest critics. It is certainly an error on the right side, and of singularly rare occurrence. It is ascribed by Leland, to the well known character of the Athenians, a people remarkable for their quickness of perception, to whom the slightest intimation was a sufficient clue to the orator's sentiments. Another reason may be found in the fact, that the subjects on which Demosthenes spoke had in general been

previously discussed by other orators, and fully understood, in all their relations by the audience. The assemblies which he addressed were, besides, engaged most deeply in the business before them, and their minds wound up to a degree of interest, which suffered not a single remark to pass unnoticed or unapplied. Still, under all these qualifications, Demosthenes has carried the virtue of brevity to an extreme ; and, in this respect, he would be a very unsafe model for the imitation of a public speaker. His shorter orations exact even from a reader, the most wakeful and unremitted attention, and it is scarcely necessary to add, that much of the force and beauty of the finest sentiments, if expressed in a similar style, would be lost by an audience.

In the oration on the Crown, Demosthenes is, compared merely with himself, unusually diffuse. He was probably led to this course by the peculiar circumstances of his situation. His whole conduct was upon trial. He was attacked by an orator, who yielded only to himself in skill and celebrity, and forced to answer to numerous specific charges, which could be refuted only in detail, and at great length, and, as he himself observes, he could only vindicate his own character by a complete history of his public life. This oration is, accordingly, five or six times as long as any of the *Philippics*, and is distinguished by every species of composition, by argument, by narration, by invective, direct and ironical, by comparison, by metaphor, by apostrophe, by figures, both of thought and language, of all descriptions. Our limits will confine us to a very few extracts. The first is an example of the bitter personal reproaches, which Demosthenes heaps on his adversary. They are certainly such as neither would nor should be permitted, by the rules of any deliberative assembly at the present day. They were provoked, however, on the part of *Æschines*, by invectives of equal virulence and ability ; and the contest between the two orators was in fact a trial of character. We may also remark, that the reproaches uttered by Demosthenes, both in this and other passages, violent as they are, contain nothing which, if true, could not be decently told, and that they are free from that disgusting vulgarity, which disfigures those of Cicero against *Piso* and *Antony*. The lines in italics allude to the charge of cowardice, which

Æschines had repeated several times in the course of his oration.

‘When you had obtained your enrolment among our citizens, by what means I shall not mention, but when you had obtained it, you instantly chose out the most honorable of employments, that of under scrivener and assistant to the lowest of our public officers. And, when you retired from this station, where you had been guilty of all those practices you charge on others, you were careful not to disgrace any of the past actions of your life. No, by the powers !— You hired yourself to Simmichus and Socrates, those deep groaning tragedies, as they were called, and acted third characters. You pillaged the grounds of other men for figs, grapes, and olives, like a fruiterer ; which cost you more blows than even your playing, which was in effect playing for your life ; for there was an implacable, irreconcilable war declared between you and the spectators ; *whose stripes you felt so often and so severely, that you may well deride those as cowards, who are unexperienced in such perils.*— But I shall not dwell on such particulars as may be imputed to his poverty. My objections shall be confined to his principles. Such were the measures you adopted in your public conduct, (for you at last conceived the bold design of engaging in affairs of state,) that while your country prospered, you led a life of trepidation and dismay, expecting every moment the stroke due to those iniquities which stung your conscience ; when your fellowcitizens were unfortunate, then were you distinguished by a peculiar confidence ; and the man who assumes this confidence, when thousands of his countrymen have perished, what should he justly suffer from those who are left alive ? And here I might produce many other particulars of his character. But I suppress them. For I am not to exhaust the odious subject of his scandalous actions. I am confined to those which it may not be indecent to repeat. Take then, the whole course of your life, Æschines, and of mine ; compare them without heat or acrimony. You attended on your scholars ; I was myself a scholar. You served in the initiations ; I was initiated. You were a performer in our public entertainments ; I was the director. You took notes of speeches ; I was a speaker. You were an underplayer ; I was a spectator. You failed in your part ; I hissed you. Your public conduct was devoted to our enemies ; mine to my country.’

The next passage, which we select, is a rapid and forcible enumeration of the various and important measures, which had been adopted for the security of the state. To say nothing of its other beauties, the manner in which the orator introduces himself in the third person is singularly happy.

‘Consider ; what was the part of a faithful citizen ? Of a prudent, an active, and an honest minister ? Was he not to secure Eubœa as our defence against all attacks by sea ? Was he not to make Bœotia our barrier on the midland side ? the cities bordering on Peloponessus our bulwark, on that quarter ? Was he not to attend, with due precaution, to the importation of corn, that this trade might be protected through all its progress up to our very harbor ? Was he not to cover those districts which we commanded, by seasonable detachments as the Proconesus, the Chersonesus, and Tenedos ? To exert himself in the assembly for this purpose, while, with equal zeal, he labored to gain others to interest and alliance, as Byzantium, Abydos, and Eubœa ? Was he not to cut off the best and most important resources of our enemies, and to supply those in which our country was defective ? And all this you gained by my counsels and my administration. Such counsels, and such an administration, as must appear, upon a fair and equitable view, the result of strict integrity ; such as left no favorable juncture unimproved, through ignorance or treachery ; such as ever had their due effects, as far as the judgment and abilities of one man could prove effectual. But if some superior being, if the misconduct of generals, if the iniquity of your traitors, or if all these together, broke in upon us, and at length involved us in one general devastation, how is DEMOSTHENES to be blamed ? Had there been a single man in each Grecian state to act the same part, which I supported in this city ; nay, had but one such man been found in Thessaly, and one in Arcadia, actuated by my principles, not a single Greek, either beyond or on this side Thermopylæ, could have experienced the misfortunes of this day. All had then been free and independent, in perfect tranquillity, security and happiness, uncontrolled in their several communities, by any foreign power, and filled with gratitude to you and to your state, the authors of these blessings, so extensive and so precious. And all this by my means.’

The last quotation, which we shall make, is a part of the oration on the Crown, concluding with his apostrophe to the departed heroes of Athens. Leland’s version of this passage is uncommonly elegant and happy. The principal truth, which Demosthenes here labors to enforce, is no other, than that success is not the necessary result of human exertions, however wise, but the gift of heaven. This would seem to many not only an indisputable, but a commonplace maxim of morality, though no one will deny the singular ability with which it is amplified and illustrated. It is necessary, therefore, to refer to the argument of Æschines. Availing himself of the

disasters, which had befallen Athens during the administration of Demosthenes, this orator accused him with the greatest vehemence, as the author of all her calamities. He represents him as the evil genius of his country, the accursed thing which had drawn down upon her the vengeance of heaven; the illstarred wretch, whose disastrous destiny had outweighed and controlled her better fortunes. These charges, which we believe would not be without their effect on the feelings even of a modern audience, under similar circumstances, must have seemed far more credible to a Pagan assembly, who were prone to consider misfortune, not only as a presumptive proof of misconduct, but as a sure indication of the wrath of the gods. Demosthenes, in reply, after urging that neither he nor any other statesman could be required to possess the gift of prophecy; after showing that the measures, which he pursued, were those of a wise and patriotic minister, and were admitted so to be, by the silent acquiescence of Æschines himself, at the time of their adoption, proceeds as follows.

‘But, since he hath insisted so much upon the event, I shall hazard a bold assertion. But, in the name of heaven, let it not be deemed extravagant; let it be weighed with candor. I say then, that had we all known what fortune was to attend our efforts; had we all foreseen the final issue; had you foretold it, Æschines, (you whose voice was never heard,) yet, even in such a case, must this city have pursued the very same conduct, if she had retained a thought of glory, of her ancestors, or of future times. For, thus, she could only have been deemed unfortunate in her attempts; and misfortunes are the lot of all men, whenever it may please heaven to inflict them. But if that state, which once claimed the first rank in Greece, had resigned this rank, in time of danger, she had incurred the censure of betraying the whole nation to the enemy. If we had indeed given up those points without one blow, for which our fathers encountered every peril, who would not have spurned you with scorn? *You, the author of such conduct*, not the state, or me? In the name of heaven, say with what face could we have met those foreigners, who sometimes visit us, if such scandalous supineness on our part had brought affairs to their present situation? If Philip had been chosen general of the Grecian army, and some other state had drawn the sword against this insidious nomination, and fought the battle, unassisted by the Athenians, that people who, in ancient times, never preferred inglorious security to honorable danger? What part of Greece, what part of the barbarian world, has not heard, that the Thebans, in their period

of success, that the Lacedemonians, whose power was older and more extensive, that the king of Persia would have cheerfully and joyfully consented, that this state should enjoy her own dominions, together with an accession of territory ample as her wishes, upon this condition, that she should receive law, and suffer another state to preside in Greece? But, to Athenians, this was a condition unbecoming their descent, intolerable to their spirit, repugnant to their nature. Athens never was once known to live in a slavish, though a secure obedience to unjust and arbitrary power. No; our whole history is one series of noble contests for preeminence, the whole period of our existence hath been spent in braving dangers, for the sake of glory and renown. And so highly do you esteem such conduct, so consonant to the Athenian character, that those of your ancestors, who were most distinguished in the pursuit of it, are ever the most favorite objects of your praise. And with reason. For who can reflect without astonishment upon the magnanimity of those men, who resigned their lands, gave up their city, and embarked in their ships, to avoid the odious state of subjection? Who chose Themistocles, the adviser of this conduct, to command their forces; and, when Crysilus proposed that they should yield to the terms prescribed, stoned him to death? Nay, the public indignation was not yet allayed. Your very wives inflicted the same vengeance on his wife. For the Athenians of that day looked out for no speaker, no general to procure them a state of prosperous slavery. They had the spirit to reject even life, unless they were allowed to enjoy that life in freedom. For it was a principle fixed deeply in every breast, that man was not born to his parents only, but to his country. And mark the distinction. He who regards himself as born only to his parents, waits in passive submission for the hour of his natural dissolution. He who considers, that he is the child of his country also, is prepared to meet his fate freely, rather than behold that country reduced to vassalage; and thinks those insults and disgraces, which he must meet, in a state enslaved, much more terrible than death. Should I then attempt to assert, that it was I who inspired you with sentiments worthy of your ancestors, I should meet the just resentment of every hearer. No; it is my point to shew, that such sentiments are properly your own; that they were the sentiments of my country, long before my days. I claim but my share of merit in having acted on such principles, in every part of my administration. He, then, who condemns every part of my administration, he who directs you to treat me with severity, as one who hath involved the state in terrors and dangers, while he labors to deprive me of present honor, robs you of the applause of all posterity. For if you now pronounce, that, as my public conduct hath not been right, Ctesiphon must stand condemned, it must be thought that you yourselves have acted

wrong, not that you owe your present state to the caprice of fortune. But it cannot be! No, my countrymen! it cannot be that you have acted wrong, in encountering danger bravely, for the liberty and safety of all Greece. No! by those generous souls of ancient times, who were exposed at Marathon! By those who stood arrayed at Plataea! By those who encountered the Persian fleet at Salamis, who fought at Artemisium! By all those illustrious sons of Athens, whose remains lie deposited in the public monuments! all of whom received the same honorable interment from their country; not those only who prevailed, not those only who were victorious. And with reason. What was the part of gallant men they all performed! Their success was such as the Supreme Director of the world dispensed to each.'

No writings could, we think, be read to more advantage by the rising orators of our own country, than those of Demosthenes. A thorough study of his concise, manly, and practical eloquence, would do much to correct the two most prominent faults of American oratory. The first of these, is the excessive prolixity, by which we are most unfortunately contradistinguished from our transatlantic brethren. In our national House of Representatives, for instance, which, composed as it is of our most distinguished politicians, is certainly no unfair specimen of our deliberative assemblies, five or six weeks are spent in debating upon questions, which would be discussed in the Parliament of Great Britain, and well discussed too, in half as many evenings. The best speakers in that country generally find two or three hours at most, amply sufficient for a complete exposition of their arguments, and those eloquent orations of five or six hours, which are so much in fashion at Washington, are almost unknown. There is some appearance, indeed, that this prolixity of our congressional speakers is working its own cure, and it already begins to be suspected that, in order to convince, it is not indispensably necessary to fatigue. The next fault, to which we allude, is the fondness for unnatural and meretricious ornament, which is occasionally displayed, even by some of our ablest speakers, and which is exhibited, in irrelevant and ostentatious digressions, in cold and trite similes, and a gay confusion of metaphors, in finical circumlocutions, and a studied avoidance of direct and definite language, and, to speak more generally, in offences of every description against classical simplicity. This fault is by no means confined to our oratory, it infects in some degree every



branch of our literature, and must be ascribed in part to circumstances in our condition which can be removed only gradually. A chaste elegance in the art of composition, as in all other arts, is generally the result, in part, of assiduous culture, and consequently the evidence of a high degree of advancement. But we think, that the deficiency of several of our orators in this quality, has been owing materially to the admiration entertained, by so many of our fellowcitizens, for a few faulty models, and more especially for the works of Curran and Phillips. We object to this admiration, not so much because it is extravagant, as because it is indiscriminating. We know that perfect simplicity is compatible with a high degree of ornament, provided it be apt and unforced ornament, and there are certainly passages alike faultless and striking in both these orators, and more especially in the first. But these great beauties are balanced, not to say outweighed, by faults of equal magnitude, and the contrast, striking as it is, seems to have been strangely overlooked by many of our countrymen.

Misled by some of the most glaring absurdities of these brilliant, but irregular productions, they seem to have essentially mistaken the nature of real eloquence, to have supposed not only that it was something more than plain good sense, but something at war with it. We know nothing that could be better adapted to correct impressions like these, than the frequent contemplation of the severe beauty of Attic eloquence. But above all, would we recommend the speeches of Demosthenes, as models of practical *business like* oratory. The present age is a period, when men are *in earnest*, when they seek, even in works of amusement, for something which shall excite intense thought, and call forth their inmost feelings; when they will not endure to hear important subjects treated carelessly or superficially.\* We may add, that if this be the character at the present day, of all enlightened nations, still, more especially, is it that of our own. All our public institutions, all our private and domestic habits, are calculated to render us emphatically a practical people. Every individual is in some degree a man of business. With us a recluse is almost an unknown being, and the most retired students are drawn from their closets to bear some part in the machinery of active socie-

\* See Dr Channing's Sermon at the Ordination of Mr Gannett.

ty. Our whole frame of government presupposes, what our admirable systems of early education have enabled us to verify in a great degree, that our community is made up of thinking, reflecting individuals. No feature in the character of the people, at least of the older parts of our country, is more striking than their singular sedateness and gravity. Their very amusements are strongly marked by these characteristics. Their only festival days are those, which are devoted to the celebration of important agricultural, political, religious, or literary ceremonies. Nothing seems to be intended as the mere sport of the passing hour; all is serious and practical. This peculiar gravity of character is daily becoming more prominent, and diffusing itself more widely. It is surely not improbable, that it will eventually give a coloring to all our intellectual productions, but more especially to our oratory, and that in this country the most popular and successful eloquence will be the grave, manly, argumentative eloquence of which Demosthenes is so splendid an example; which disdains to trifle, which seeks to convince and persuade, not to entertain; which speaks to the reason and the heart, rather than to the fancy; the eloquence of sound thought and deep feeling. The works of Demosthenes, to say nothing of the other illustrious orators of Greece, are alone sufficient to render the language in which he wrote, worthy of the assiduous study of every well educated American.

But the study of good models is, after all, only one means of improving the oratory of our country. Among many others, which might be mentioned, we shall suggest one, both because we consider it of high importance, and because it has not, so far as we are aware, been generally adopted, either in this or any other community; and that is, to oblige the students of our principal literary seminaries to debate, extempore, from time to time, in the presence and under the direction of a teacher. No one will dispute the expediency of such a practice, who considers, either the manifest value, in a country like ours, of the faculty of speaking in public, or the great disproportion which exists among us, between the number of able and accomplished orators, and that of intelligent and well educated individuals. The debates in our legislatures, for instance, more especially in New England, are principally carried on by members of one profession,

(it is true a most respectable one,) that of the law, or rather by that highly favored portion of them, who have previously enjoyed frequent opportunities of exercising and improving their oratorical powers before a judicial tribunal.

This is certainly far from desirable. There are, in every representative assembly, many citizens of other professions and pursuits, well entitled by their wisdom and integrity to the places which they hold, and well able, had they the power of expressing themselves with ease, to shed light on every question of public importance. Yet these men, (putting out of the question rare instances of natural eloquence,) are compelled either to do themselves and their subject injustice, by an imperfect and embarrassed enunciation of their sentiments, or to confine themselves to a simple *yea* and *nay*, and leave the field of debate to their more fluent, though it may often happen, worse informed, or less intelligent brethren. The more discreet generally prefer the latter course, and however clearly they may prove their wisdom by their votes, can exert but little influence over the decisions of others.

That this evil, with many others of a similar nature, would be at least materially remedied, by the measure which we recommend, seems to us beyond a question. We may add, that it is not only a practicable measure, but one which could be carried into execution with the greatest ease, and that it has been, in fact, recently adopted in several of our *Law Schools*. It may, perhaps, be considered as unnecessary, since it is frequently said, that the practice of composition in writing, is the best method of acquiring the power of debating with force and readiness. We are sensible, that this opinion is countenanced by no mean authority, and we should be the last to dispute the numerous and weighty advantages, which can be derived from writing only, but we cannot admit that it is of itself sufficient to render men consummate orators. It may strengthen their power of thought, and increase their command of language, but much will obviously remain to do, which can be accomplished only by debating extempore. This practice, for instance, would greatly facilitate the acquisition of what is a rare accomplishment, in this and in most other countries, *a good delivery*. The reigning defect in our readers and speakers is monotony. Now this fault is often acquired by reading or reciting the works of others, and is occasioned,

more particularly, by the extreme difficulty which we find in entering into the spirit of what we utter ; that is, in inspiring ourselves with the same feelings, while pronouncing a passage, that existed at the time it was composed, in the mind of the author. We find a similar, though a less difficulty, in repeating aloud our own compositions, because the glow of feeling with which they were written, has gone by, and can be recalled only by a strong effort. There is, on the other hand, no monotony in private conversation, because we utter what we feel at the moment, instead of reciting what we recollect, and, for a similar reason, this defect is displayed much more seldom, and in a much less degree, at the bar and in the senate, than in the pulpit.

We hope it will not be inferred from these remarks, that we are in any degree hostile to the prevailing custom of declaiming from the works of distinguished authors. On the contrary, we consider it of the highest value, both as an oratorical exercise, and as a vehicle of noble and useful sentiments. It is only while followed to the exclusion of any other species of declamation, that it can be open to the slightest objection. To conclude, if any readers should complain, that we have noticed only the faults of our public speakers, and passed over their good qualities in silence, we would observe, that this circumstance has resulted from the nature of our design, which has been to suggest some methods for the improvement of American oratory, and by no means to give a picture of its actual condition, a task much too extensive and interesting to be accomplished within our present limits.

The edition of Demosthenes, mentioned at the head of this article, is entitled to the praise of great correctness. It has no other recommendation than its portable size ; an advantage dearly purchased by the entire omission of notes, and the employment of a type too small and indistinct to be read without hazard, even by the strongest eyes. This latter defect is one, which has occurred so frequently in recent editions of standard works, both in our own and other languages, that it deserves to be particularly and strongly reprehended.

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